

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

**MARLYN WEBB and
PAULINE SANCHEZ,**

Plaintiffs,

v.

No. CIV 08-0411 MV/LAM

MICHAEL PADILLA, et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART, AS MOOT,
PLAINTIFFS' MOTION TO MODIFY ALL DEADLINES SET FORTH IN THE
SCHEDULING ORDER AND FOR SCHEDULING CONFERENCE (Doc. 113)**

THIS MATTER comes before the Court on Plaintiffs' *Motion to Modify All Deadlines Set Forth in the Scheduling Order and for Scheduling Conference* (Doc. 113), filed on March 12, 2009. Having considered the motion, Defendants' response to the motion (Doc. 120), the arguments of counsel at a hearing on the motion held on April 1, 2009, the record of this case and relevant law, the Court **FINDS** that the motion is well-taken and should be **GRANTED IN PART** and **DENIED IN PART, as moot**, and that certain pretrial deadlines in this case should be extended as set forth below.

IT IS THEREFORE ORDERED that Plaintiffs' *Motion to Modify All Deadlines Set Forth in the Scheduling Order and for Scheduling Conference* (Doc. 113) is **GRANTED IN PART**, and the pretrial deadlines in this case are modified as follows:

| | |
|---|----------------|
| Termination of additional limited discovery ¹ | 4-27-09 |
| Motions relating to discovery filed and served by | 5-4-09 |
| Pretrial motions (other than discovery motions) filed and served by | 5-15-09 |
| Amended Pretrial Order from Plaintiffs to Defendants by | 5-26-09 |
| Amended Pretrial Order from Defendants to Court by | 6-9-09 |

IT IS FURTHER ORDERED that Plaintiffs' request in their motion for a scheduling conference to re-set pretrial deadlines is **DENIED, as moot**, because the Court held a hearing on Plaintiffs' motion on April 1, 2009, during which the above-referenced revised pretrial deadlines were discussed and set by the Court.

All other pretrial deadlines in this case shall remain the same and there shall be no further extensions of the pretrial deadlines without approval of the Court upon a motion setting forth exceptional circumstances for extension. Given the amount of time that the Court has allowed the parties to prepare for trial in this case, attorneys' busy schedules, planned vacations and holidays shall not constitute exceptional circumstances warranting further extensions of these deadlines. The parties must proceed in this case with due diligence.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE

¹Discovery is limited to those matters as to which additional discovery is permitted under the Court's *Order Granting in Part Defendant[s] City, Chavez and Schultz' Motion for Protective Order Regarding the Deposition of Claudia Ponce* (Doc. 78) (Doc. 128), *Order Granting in Part and Denying in Part Plaintiffs' Second Motion to Compel* (Doc. 89) (Doc. 129), *Order Regarding Disclosure of Michael Padilla's Personnel File* (Doc. 130), and *Order Granting in Part and Denying in Part Plaintiffs' Motion to Modify the Court's Order Terminating Discovery and to Re-Open Discovery and Request for Sanctions Against the City of Albuquerque* (Doc. 103) filed concurrently with this Order.